

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Juan Arango	Team: Squad #9	CCRB Case #: 202002692	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 04/13/2020 6:30 PM, Monday, 04/13/2020 8:15 PM	Location of Incident: At Jamaica Avenue and 160th Street and At the 103rd Precinct stationhouse.	Precinct: 103	18 Mo. SOL 10/13/2021	EO SOL 5/4/2022	
Date/Time CV Reported Mon, 04/13/2020 9:02 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 04/13/2020 9:02 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Edwin Espinal	03384	934831	103 PCT
2. POM Michael Boudouris	13949	955764	103 PCT
3. POM Kevin Nicoll	19740	958984	103 DET
4. LT John Diaz	00000	948884	103 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM James Holder	18361	951823	103 PCT
2. POM Christophe Giardina	09515	961786	NARCBQS
3. SGT Justin Caliguri	01902	953778	103 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Kevin Nicoll	Abuse: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Kevin Nicoll frisked § 87(2)(b)	
B.POM Kevin Nicoll	Abuse: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Kevin Nicoll searched § 87(2)(b)	
C.POM Michael Boudouris	Abuse: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Michael Boudouris frisked § 87(2)(b)	
D.POM Michael Boudouris	Abuse: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Michael Boudouris refused to provide his shield number to § 87(2)(b)	
E.SGT Edwin Espinal	Abuse: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Sergeant Edwin Espinal searched the vehicle in which § 87(2)(b) was an occupant.	
F.POM Kevin Nicoll	Abuse: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Kevin Nicoll damaged § 87(2)(b)'s property.	
G.LT John Diaz	Abuse: On April 13, 2020, at the 103rd Precinct stationhouse in Queens, Lieutenant John Diaz threatened to arrest § 87(2)(b)	
H.LT John Diaz	Abuse: On April 13, 2020, at the 103rd Precinct stationhouse in Queens, Lieutenant John Diaz did not process § 87(2)(b)'s complaint regarding officers.	

Case Summary

On April 13, 2020, § 87(2)(b) filed the following complaint with the CCRB over the phone.

On April 13, 2020, at approximately 6:30 p.m., § 87(2)(b) parked his vehicle in a bus lane, at 160th Street and Jamaica Avenue in Queens, to pick up food at a Chipotle Restaurant. After § 87(2)(b) returned to the vehicle, PO Nicoll and PO Boudouris of the 103rd Precinct anti-crime unit approached his vehicle. § 87(2)(b) stepped out of the vehicle. PO Nicoll and PO Boudouris frisked and searched § 87(2)(b)'s person (**Allegation A: Abuse of Authority - Frisk, § 87(2)(g)**) (**Allegation B: Abuse of Authority – Search, § 87(2)(g)**) (**Allegation C: Abuse of Authority – Frisk, § 87(2)(g)**). Sgt. Edwin Espinal, PO Christopher Giardina and PO James Holder, also from the 103rd Precinct anti-crime unit, responded to back up PO Nicoll and PO Boudouris. The officers had § 87(2)(b) stand by the trunk of his vehicle. As he stood at the back of his vehicle, § 87(2)(b) asked PO Boudouris for his shield number. PO Boudouris told § 87(2)(b) that he could see it on his shield, but PO Boudouris allegedly had his shield flipped so that § 87(2)(b) could not read it (**Allegation D: Abuse of Authority - Refusal to provide shield number, § 87(2)(g)**). Right after, PO Nicoll, PO Giardina and PO Holder searched § 87(2)(b)'s vehicle, including the trunk (**Allegation E: Abuse of Authority – Vehicle Search, § 87(2)(g)**).

At the end, the officers issued two summonses to § 87(2)(b). One summons was issued for § 87(2)(b) and the other for § 87(2)(b). (**Board Reviews 01 and 02**)

After the officers left the scene, § 87(2)(b) noticed that the lock of the glove compartment was broken (**Allegation F: Abuse of Authority – Property Damage, § 87(2)(g)**).

Also on April 13, 2020, at approximately 8:15 p.m., § 87(2)(b) went to the 103rd Precinct stationhouse to file a complaint against the officers. While standing outside of the 103rd Precinct stationhouse and speaking with 311, Lieutenant John Diaz, the ICO of the 103rd Precinct, approached § 87(2)(b) and asked him to move from the middle of the street. § 87(2)(b) said “no” and Lieutenant Diaz repeated that he needed to move because it was private property or he would be arrested (**Allegation G: Abuse of Authority: Threat of Arrest, § 87(2)(g)**). Lt. Diaz then asked § 87(2)(b) what his problem was. § 87(2)(b) explained that he wanted to file a complaint against officers and Lt. Diaz replied that he could not file a complaint because it was outside their jurisdiction (**Allegation H: Abuse of Authority: Refusal to process civilian complaint, § 87(2)(g)**).

The investigation obtained Body-Worn Camera footage which captured the first incident on April 13, 2020 (**Board Reviews 03**).

The investigation obtained video footage of the 104th Precinct stationhouse (**Board Review 22**).

Findings and Recommendations

Allegation (A) Abuse of Authority: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Kevin Nicoll frisked § 87(2)(b)

Allegation (B) Abuse of Authority: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Kevin Nicoll searched § 87(2)(b)

Allegation (C) Abuse of Authority: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Michael Boudouris frisked § 87(2)(b)

Allegation (E) Abuse of Authority: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Sergeant Edwin Espinal searched the vehicle in which § 87(2)(b) was an occupant.

It is undisputed that § 87(2)(b) was stopped for being parked in a bus lane (**Board Review 01**).

During his CCRB interview, § 87(2)(b) explained that PO Nicoll approached the front driver side window and PO Boudouris the front passenger side window (**Board Review 04**). PO Nicoll immediately held the door open and rolled down § 87(2)(b)'s window. PO Nicoll asked § 87(2)(b) for his driver license and § 87(2)(b) asked PO Nicoll what the problem was; to which PO Nicoll asked § 87(2)(b) for his driver license for a second time. Right after, § 87(2)(b) observed PO Boudouris opening the passenger door and looking inside with what he believed was a flashlight. § 87(2)(b) became upset and exited his vehicle. PO Nicoll asked § 87(2)(b) why he got out of the vehicle; to which, § 87(2)(b) replied, "I was going to provide you with my license and before I gave you my license, your partner is already searching my vehicle. You rolled down my window. I did not give you permission to do that." PO Nicoll told § 87(2)(b) to calm down and to stay inside his vehicle. § 87(2)(b) asked PO Nicoll, "Calm down for what? I am not doing nothing and continued telling PO Nicoll that he should not have opened the door without his permission and that he did not have time for that.

PO Nicoll then instructed § 87(2)(b) to exit his vehicle and § 87(2)(b) complied. PO Nicoll put § 87(2)(b)'s hands on top of the vehicle and began to pat his coat down, his sleeves, and his neck. PO Nicoll then went to § 87(2)(b)'s back pants pocket and took out his blue wallet and Door Dash card. § 87(2)(b) had not given PO Nicoll his driver license, so PO Nicoll took it out of his wallet. While PO Nicoll searched § 87(2)(b)'s pocket, PO Boudouris patted § 87(2)(b)'s legs down and went through his jacket. PO Boudouris then removed five dollars that § 87(2)(b) had inside his front pocket and placed it on top of the vehicle. § 87(2)(b) told the CCRB that PO Boudouris went through all of the jacket's pockets. While PO Nicoll and PO Boudouris frisked and searched § 87(2)(b), Sgt. Espinal arrived on scene and asked PO Nicoll and PO Boudouris to go to the back of the vehicle with § 87(2)(b).

At some point, PO Nicoll walked away from the back of the vehicle and § 87(2)(b) turned around and observed PO Nicoll searching the back of his vehicle with PO Giardina and PO Holder. § 87(2)(b) could not exactly describe what PO Giardina or PO Holder were doing inside the vehicle. At some point, PO Holder gave Sgt. Espinal the title of § 87(2)(b)'s vehicle which he had inside the glove compartment. Sgt. Espinal then told § 87(2)(b) to go back to his vehicle because they needed to search the trunk, but § 87(2)(b) refused to do so and moved to the side with his back to the vehicle. § 87(2)(b) did not know exactly who searched the trunk because he could not turn around but believed PO Giardina and PO Holder were behind him conducting the search.

At the 19:24:46 timestamp of PO Nicoll's BWC footage, § 87(2)(b) exits his vehicle and PO Nicoll asks him, "Where are you going?" In response, § 87(2)(b) tells PO Nicoll, "I am letting you search. You already came up to my car. So you...search the car" (**Board Review 05**). PO Nicoll tells § 87(2)(b) to leave everything inside his vehicle which included a blue wallet and a cellphone and asks § 87(2)(b) "What's going on? You smoking in here? Hoping out of the car like" while he grabs § 87(2)(b)'s arms and places them on top of the hood of § 87(2)(b)'s vehicle. § 87(2)(b) replies, "If you want to take me to jail, you can take me to jail." PO Nicoll asks, "Did I said you were going to jail?"

At the 19:25:05 timestamp of PO Boudouris' BWC footage, PO Nicoll is captured patting § 87(2)(b)'s black jacket down and its pockets as he asks § 87(2)(b) for his identification card for approximately five times, but § 87(2)(b) refuses to provide it and PO Nicoll continues touching different parts of his jacket (**Board Review 06**). This BWC footage does not capture PO Boudouris patting § 87(2)(b)'s legs down or searching the pockets of his jacket.

At the 19:25:49 timestamp, PO Nicoll is captured patting § 87(2)(b)'s legs down (**Board Review 04**).

At the 19:26:30 timestamp of Sgt. Espinal's BWC footage, after Sgt. Espinal arrives on scene, PO Boudouris is captured patting one sleeve of § 87(2)(b)'s jacket with both hands as § 87(2)(b) says, "Search, search, search" (**Board Review 07**). This BWC footage does not capture PO Boudouris patting § 87(2)(b)'s legs down or searching the pockets of his jacket.

At the 19:29:27 timestamp of PO Giardina's BWC footage, PO Giardina is captured entering § 87(2)(b)'s vehicle through the back-driver side door and conducting a search of the interior (**Board Review 08**). At the 19:31:44 timestamp, PO Giardina enters § 87(2)(b)'s vehicle through the front driver side door and conducts a search to the cabin.

At the 19:37:11 timestamp of PO Nicoll's BWC footage, while PO Nicolls and PO Holder search the trunk of § 87(2)(b)'s vehicle, PO Nicoll grabs a green piece of clothing and asks PO Holder, "It stinks, right?" (**Board Review 05**). In response, PO Holder says, "It smells like a lot of weed." PO Holder did not search any other part of § 87(2)(b)'s vehicle.

During their CCRB interviews, PO Nicoll, PO Boudouris, Sgt. Espinal and PO Giardina all stated that upon approaching § 87(2)(b)'s vehicle, they all smelled a strong odor of marijuana emanating from the vehicle (**Board Reviews 09, 10, 11, and 12**). PO Holder also noted in his memo book that upon approaching § 87(2)(b)'s vehicle, he smelled a strong odor of marijuana coming from the vehicle (**Board Review 13**).

PO Nicoll did not independently remember if he had any conversation with § 87(2)(b) about the odor of marijuana (**Board Review 09**). PO Nicoll explained that he frisked § 87(2)(b)'s person for marijuana because he did not know exactly if the odor of marijuana emanating from the vehicle was coming from § 87(2)(b)'s person or the vehicle itself. PO Nicoll also stated that there was no other reason why he frisked § 87(2)(b). PO Nicoll then searched § 87(2)(b)'s person for marijuana but did not find any. PO Nicoll stated that he did not remove anything from § 87(2)(b)'s pockets. PO Nicoll did not recall if he pulled out § 87(2)(b)'s wallet and removed his identification card. PO Nicoll called for additional units and after Sgt. Espinal arrived at the incident location, PO Nicoll searched the vehicle for marijuana due to the odor of marijuana at the time. PO Nicoll observed numerous marijuana clips, residues and ashes consisting of marijuana on the center console, a cup holder, an ash tray and on the carpets.

PO Boudouris did not remember if he saw any marijuana smoke coming out of the vehicle (**Board Review 10**). PO Boudouris did not observe any paraphernalia inside the vehicle from the front passenger side window upon approaching it. Given that he could not hear the initial conversation between PO Nicoll and § 87(2)(b), PO Boudouris went to the front driver side door. As PO Boudouris got closer to PO Nicoll and § 87(2)(b) and § 87(2)(b) was standing outside of his vehicle, the smell of marijuana emanating from the vehicle became stronger. However, PO Boudouris did not know exactly where in the vehicle the odor of marijuana came from. PO Boudouris explained that § 87(2)(b)'s person was searched but did not remember if he or PO Nicolls searched § 87(2)(b)'s person. However, § 87(2)(b) was searched due to the strong odor of marijuana and PO Boudouris stated that a frisk would be part of this search.

Sgt. Espinal explained that he could also smell a strong odor of marijuana emanating from § 87(2)(b)'s person during the incident including when he was standing at the back of his vehicle. Sgt. Espinal explained that the odor of marijuana smelled fresh as if § 87(2)(b) had been smoking recently (**Board Review 11**).

PO Giardina could not pinpoint exactly where in the vehicle the odor of marijuana was coming from (**Board Review 12**). PO Giardina stated that he searched § 87(2)(b)'s vehicle because of the odor of marijuana. He explained that due to the vehicle exception law, officers can search an entire vehicle, including the trunk, if marijuana is detected inside the vehicle. PO Giardina believed there were some crumbs of marijuana inside the vehicle but did not recall exactly where.

During a follow-up phone call, § 87(2)(b) stated that neither him or anyone smoked marijuana inside the vehicle before the incident because he was working with Door Dash and that he had cleaned his vehicle on this date (**Board Review 14**). § 87(2)(b) added that he did not have any marijuana in his possession prior to interacting with the officers.

§ 87(2)(g)

§ 87(2)(g)

People v. Chestnut, 43 A.D. 2d 260 (1974) (Board Review 15) – The smell of marijuana is sufficient to provide officers with probable cause to search a vehicle and its occupants.

§ 87(2)(g)

Allegation (D) Abuse of Authority: On April 14, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Michael Boudouris refused to provide his shield number to § 87(2)(b).

During his CCRB interview, § 87(2)(b) alleged that as he stood outside of his vehicle with PO Boudouris as the other officers searched it, he asked PO Boudouris for his shield number (**Board Review 04**). PO Boudouris said to him, “You can see it right there;” to which, § 87(2)(b) said, “I can’t see it, you got your badge number covered. I can’t see the numbers.” § 87(2)(b) tried to put his hands on PO Boudouris’ hand and PO Boudouris told § 87(2)(b) not to touch him. § 87(2)(b) explained to the CCRB that PO Boudouris had his shield hanging on his chest, flipped over, on top of his BWC camera, which prevented § 87(2)(b) from seeing the numbers. At the end, Sgt. Espinal gave § 87(2)(b) a piece of paper containing the shield numbers of all the officers involved.

Between the 2:40-minute mark and the 3:33-minute mark of PO Holder’s BWC footage, PO Holder is standing at the back of § 87(2)(b)’s vehicle, facing with § 87(2)(b) PO Boudouris and Sgt. Espinal. § 87(2)(b) asks PO Boudouris, “Is that a badge number? Can you turn it around please?” as he looks and points at PO Boudouris’ shield (**Board Review 20**). PO Boudouris’ shield number appears to be upside down at the time. § 87(2)(b) is standing in front of PO Boudouris, approximately two feet away. PO Boudouris then grabs his shield number, puts it in an upright position and holds it in front of § 87(2)(b)’s face. § 87(2)(b) says, “Thank you” and extend his hand towards PO Boudouris’ shield and points at it with his finger. PO Boudouris pulls his shield away from § 87(2)(b) and says, “You are not going to touch it. Get your finger out of my face.” § 87(2)(b) then tell PO Boudouris that he does not want to touch it and asks PO Boudouris if he can see the number. PO Boudouris continues holding his shield in front of § 87(2)(b) and tells him that he can see it with his eyes but not with his hands. Sgt. Espinal instructs § 87(2)(b) to put his hands down to his side and § 87(2)(b) tells the officers to put him in handcuffs if they “feel some type of way.” PO Boudouris then places his shield back onto his chest in an upright position. While § 87(2)(b) argues with the officers, the shield goes back upside down once more. § 87(2)(b) asks PO Boudouris to fix his shield number so he can see it; to which, Sgt. Espinal tells § 87(2)(b) that he already showed it to him. § 87(2)(b) says that he wants to see it on camera; to which, Sgt. Espinal tells § 87(2)(b) that he needs to put his hands down. At the end, PO Boudouris fixes his shield again and puts it upright on his chest while § 87(2)(b) is in front of him.

NYPD Administrative Guide 304-11 (Board Review 21) - Courteously and clearly state your rank, name, shield number and command, or otherwise provide them, to anyone who requests you to do so. Allow the person ample time to note this information.

§ 87(2)(g)

Allegation (F) Abuse of Authority: On April 13, 2020, at Jamaica Avenue and 160th Street in Queens, Police Officer Kevin Nicoll damaged § 87(2)(b)'s property.

During the CCRB interview, § 87(2)(b) explained to the CCRB that after he returned to his vehicle after the vehicle search was conducted, he observed that the glove compartment was broken (**Board Review 04**). § 87(2)(b) explained that the only way to open the glove compartment was by taking the keys and pressing a button to unlock it. However, he could no longer unlock the glove compartment using the same mechanism because the lock did not function properly.

At the 19:27:51 timestamp of PO Nicoll's BWC footage, while PO Nicoll searches the center console and the front seat, he appears to grab the keys and a remote control of § 87(2)(b)'s vehicle (**Board Review 05**). At the 19:30:17 timestamp, PO Nicoll appears to use either the keys or the remote control to open the glove compartment. PO Nicoll then goes through some documents inside the glove compartment, including a "Certificate of Title for a Vehicle." At the 19:31:42 timestamp, PO Nicoll organizes the documents and appears to lean over towards the opened glove compartment; however, his BWC footage does not capture what actions he takes since the BWC points downward, towards the seat and the floor mat. Right after, at the 19:31:58 timestamp, PO Nicoll says, "Yes, it is like broken, don't open. It's messed up" as he moves something with his hands, but this is not captured by his BWC due to its position.

During the CCRB interview, PO Nicoll was not sure if he opened the glove compartment while searching § 87(2)(b)'s vehicle (**Board Review 09**). Upon showing his BWC footage, PO Nicoll stated that the footage brought back his recollection of this portion of the incident and added that while he searched the vehicle for marijuana, he found the documents of the vehicle that § 87(2)(b) was unable to provide and that the paperwork was related to the vehicle. When asked if anything broke while he was searching the vehicle, PO Nicoll stated that he did not recall, but that the vehicle was in poor condition. When asked if he ever noticed that the button of the glove compartment did not work well, PO Nicoll stated that he did not recall. When asked if he caused any damage to § 87(2)(b)'s vehicle, PO Nicoll said that he did not.

§ 87(2)(g)

Allegation (G) Abuse of Authority: On April 13, 2020, at the 103rd Precinct stationhouse in Queens, Lieutenant John Diaz threatened to arrest § 87(2)(b).

Allegation (H) Abuse of Authority: On April 13, 2020, at the 103rd Precinct stationhouse in Queens, Lieutenant John Diaz did not process § 87(2)(b)'s complaint regarding officers.

During the CCRB interview, § 87(2)(b) explained that while he was outside of the stationhouse waiting to file a complaint and speaking with 311 over the phone, Lt. Diaz approached him and said to him that he needed to move from the middle of the street; to which, § 87(2)(b) replied no (**Board Review 04**). In response, Lt. Diaz said that he needed to move from the private property, or he would be arrested. § 87(2)(b) was then leaning against an unmarked vehicle that was parked three car lengths from the entrance to the stationhouse. Lt. Diaz exited the stationhouse again and told him to get off the vehicle. § 87(2)(b) told Lt. Diaz that he was not doing anything wrong and Lt. Diaz insisted that he needed to move away from the vehicle. § 87(2)(b) then explained to Lt. Diaz why he was there. In response, Lt. Diaz told § 87(2)(b) that he could not file a complaint because it was outside their jurisdiction. § 87(2)(b) described Lt. Diaz as a White male, in his late 30's, 5'6" tall, with stocky build, black hair, wearing blue navy pants and a grey hoodie with the hood on. At some point, Lt. Diaz told § 87(2)(b) he was a Lieutenant.

During a follow up phone call, § 87(2)(b) stated that Lt. Diaz asked him to get away from the vehicle that he was leaning against because the vehicle was his (**Board Review 14**).

Between the 8:16:00 timestamp and the 8:17:26 timestamp of the 103rd Precinct

stationhouse footage, Lt. Diaz is captured having a conversation with § 87(2)(b) outside of the 103rd Precinct stationhouse (**Board Review 23**) This camera is located on the roof of the 103rd Precinct stationhouse and it does not capture any sound. At the 8:23:31 timestamp, Lt. Diaz enters the 103rd Precinct stationhouse through the vestibule (**Board Review 24**).

During his CCRB interview, Lt. Diaz explained that while returning to the 103rd Precinct stationhouse from his break, he observed PO Nicoll and PO Boudouris, of the anti-crime team, engaging in a conversation with a black male, identified by the investigation as § 87(2)(b) (**Board Review 16**). Lt. Diaz never learned the name of § 87(2)(b). Lt. Diaz asked PO Nicoll and PO Boudouris if they were okay and if they needed anything; to which, the officers said, “No. Thank you, Lieutenant.” Lt. Diaz was not aware why § 87(2)(b) was at the stationhouse on that day. Lt. Diaz was given a synopsis of the incident and the alleged conversation with § 87(2)(b) outside of the stationhouse. Lt. Diaz said this information did not bring back his recollection of an interaction he had on that day. Lt. Diaz did not recall having a conversation with § 87(2)(b) telling § 87(2)(b) that if he did not move away from a vehicle and off the street, he would get arrested, or telling § 87(2)(b) that he could not file a complaint because it was outside their jurisdiction. Lt. Diaz was presented with the 103rd Precinct stationhouse footage from April 13, 2020. Lt. Diaz identified himself as the white male in grey hoodie entering to the 103rd Precinct vestibule.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to one other CCRB complaints and has been named as a victim in seven allegations (**Board Review 17**):
 - § 87(2)(b)
- PO Nicoll has been a member of services for five years and has been a subject in five CCRB complaints and 10 allegations, one of which was substantiated.
 - CCRB 201809981 involved substantiated allegation of Search of person against PO Nicoll. The Board recommended command level instructions and the NYPD imposed formalized training. § 87(2)(g)
- Sgt. Espinal has been a member of service for 16 years and subject in 22 CCRB cases and 56 allegations, one of which was substantiated.
 - CCRB 201907390 involved allegations of interference with recording. The Board recommended formalized training and the NYPD appears not to have imposed any penalty. § 87(2)(g)
- PO Boudouris has been a member of service for seven years and has been a subject in four CCRB cases and 13 allegations, none of which has been substantiated. § 87(2)(g)
- Lt. Diaz has been a member of service for eleven years and has been a subject in 12 CCRB cases and 11 allegations, one of which was substantiated.
 - CCRB 201807794 involved an allegation of retaliatory summons. The Board recommended command disciplined and the NYPD appears not to have imposed

any penalty. § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined mediation.
- As of June 22, 2021, the New York City Office of Comptroller has no record of a Notice of Claim being filed in regards to this complaint (**Board Review 18**).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 9

Investigator: Juan Arango Inv. Juan Arango 11/29/2021
Signature Print Title & Name Date

Squad Leader: Monique West IM Monique West 12/03/2021
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date